IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORIGINAL SIDE

WRIT PETITION NO. 358 OF 2007

JASMIN ESTATE DEVELOPERS PVT. LTD.. PETITIONERS

Vs.

RELIANCE ENERGY LIMITED & ORS. .. RESPONDENTS

Mr. M. Wamorkar i/b Maravoor Wamorkar & Co. for petitioners

Mr. Satish Kamath for R-1 for R-1

Mr. S. K. Nair (Panel Counsel) for R-3

CORAM:-SMT. RANJANA DESAI &
D. B. BHOSALE, JJ.

DATED:-24/4/2007

P.C.

. We have heard the learned counsel for the poetitioners.

2. The only grievance of the petitioners is that the Chief Engineer, Electricity PWD Department, Govt. of Maharashtra has not allowed the petitioners to lodge his appeal filed under Section 127(1) of the Electricity Act, 2003 on the ground that it is filed beyond the period of limitation.

3. In the circumstances of the case, in our opinion, following order will meet the ends of justice;

. If the petitioners deposit an amount equal to one third of the assessed amount as required by Section 127(2) of the Electricity Act, 2003, the respondent is directed to permit the petitioners to lodge their appeal and pass appropriate orders thereon within a period of six weeks from the date of lodging of the said appeal.

. We make it clear that all contentions including the contention regarding limitation are kept open.

. Petition is disposed of.

JUDGE.

JUDGE.